

## **MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING**

The Dare County Planning Board held their regularly scheduled meeting on Tuesday, November 13, 2012. This meeting was held in the Dare County Board of Commissioners Meeting room located at 954 Marshall C. Collins Drive in Manteo, North Carolina. The meeting was called to order at 7:00 PM.

### **Members present were as follows:**

John Finelli, Vice-Chairman  
Michael Barr

David Overton  
Ricky Scarborough, Jr.

### **Members absent were as follows:**

Elmer R. Midgett, Jr., Chairman  
Dan Oden

Mary Beth Midgett

### **Approval of the minutes for the October 8, 2012 meeting**

There being no corrections, additions or deletions to be made to the minutes of the October 8, 2012 meeting, a motion to dispense with reading those minutes and to accept them as written was made by Ricky Scarborough, Jr. Michael Barr seconded this motion.

Vote: Ayes – Unanimous

**Public Comment** - None

### **Public Hearing**

#### **Jane Krumwiede/Outer Banks Dog Club – Zoning Amendment – Public Hearing**

The applicant, Ms. Jan Krumwiede, representing the Outer Banks Dog Club, was present.

Planning Director Donna Creef told the Board that Ms. Krumwiede is seeking a text amendment to the I-1 district to add “dog agility training facilities” to the list of permitted uses in the I-1 district. She provided a copy of the draft language for the Board’s review, and pointed out that she drafted a definition for “Dog agility training facility”. She noted one change to that language in reference to members. Mrs. Creef stated that participation at the facility is limited by membership and training services are provided by appointment only to members of the dog training facility. She explained that she added that language because of the discussion last month regarding how to address parking at the

facility. Mrs. Creef stated she included a parking requirement of one parking space per each member plus one space for each three employees.

There were no public comments rendered.

A motion was made by John Finelli to recommend that dog training facility as defined in the staff memo of November 6, 2012 be added to the list of permitted uses in I-1 district subject to the requirement of one parking space per each member plus one space for each three employees. This motion is made upon the finding of a consistency with the 2009 Dare County Land Use Plan, and was seconded by Michael Barr.

Vote: Ayes – Unanimous

***Jar-Don Properties, LLC – Zoning Amendment – Public Hearing***

Donna Williams was present to represent this proposed amendment.

No speakers present.

Planning Director Donna Creef told the Board that Mr. and Mrs. Williams are seeking a rezoning of a parcel of land on Buxton Back Road and an associated text amendment to the C-3 to add “vehicle storage and impoundment facility” to the list of conditional uses available in the C-3 district. She stated that the applicants are seeking the rezoning and text amendment to accommodate the relocation of their wrecker service and storage yard to their property located on Buxton Back Road.

Mrs. Creef stated that notice of this public hearing was posted with on the property, advertised in the newspaper and notices were sent to adjoining property owners and the property owner across the street from the Williams property. She stated that neither she nor the staff in the Frisco Planning Office has received any calls regarding this application.

Mrs. Creef noted that in researching the Dare County Land Use Plan, she did not find any direction on this request from any of the policies. She further stated that she did find reference to locally owned businesses.

Last month when the Board reviewed this item, Mrs. Creef noted that there was some discussion about lighting and fencing requirements for such a facility. She noted that Mr. Williams has provided

some information from the NC Highway Patrol that indicates that there shall be “sufficient lighting” which provides no real guidance in developing lighting standards for this facility.

A motion to recommend approval with changes to the zoning map to reclassify the subject property from R2-A to C-3 and to add vehicle storage and impoundment facilities to the list of conditional uses in the C-3 district was made by Ricky Scarborough, Jr.; this motion was seconded by David Overton.

Vote: Ayes – Unanimous

## **OLD BUSINESS**

None

## **New Business**

### **Julia R. Shauer Subdivision – Frisco – Preliminary Plat**

Planning Director Donna Creef told the Board that the property is a large piece of land but is only proposed to be divided into two lots. She stated the wetland delineation signed by the Corps of Engineers has been submitted.

Mrs. Creef noted that there is an existing encroachment from that house on the adjoining property owned by David Lindsey Moore. She stated that the lot lines are configured to maintain the appropriate setbacks for the existing structure. She further stated that both of the proposed lots include a minimum of 15, 000 square feet of non-wetland area.

Ricky Scarborough, Jr. made a motion to grant preliminary plat approval to the Julia Schauer division. Michael Barr seconded the motion.

Vote: Ayes – Unanimous

## **OTHER BUSINESS**

### ***East Lake Zoning – Discussion of draft map***

Planning Director Donna Creef briefly went through the staff memo she provided in the Board packet. She also provided a draft map for the Board to review. She pointed out on the draft map that most of



the federally owned property in the East Lake area is zoned Natural Historic. She noted that there are two commercial districts (East Lake Village Commercial, East Lake Commercial Services), and one residential district (East Lake Residential) proposed. She noted that originally there was only one commercial district, but based on the workshop it seemed appropriate that it be split.

Mrs. Creef noted changes to the map were based on the request from Ms. Vicki Basnight as well as a request from Mr. David Twiddy on behalf of his grandmother Minnie Spruill. She stated that she has not received any other request for map changes since the workshop.

Mrs. Creef noted a minor change to the intent statement of the residential district, and pointed out that the accessory dwelling use district language is the same in all three of the proposed districts for the East Lake area.

Ricky Scarborough, Jr. made a motion to schedule a public hearing on the draft East Lake Zoning map and associated text for Monday, December 10, 2012. The motion was seconded David Overton.

Vote: Ayes - Unanimous

In reference to the vegetative buffer requirements included in the proposed East Lake Commercial Services District, property owner Courtney Gallop requested that the 25% trigger of commercial development be increased to 50%. She expressed the opinion that a 50% allowance would provide the business community a little more leeway and flexibility to make improvements and or changes to their properties above the 25%.

Ms. Gallop also requested that #3 under item (g) Non-conformities include a time limit of twelve consecutive months rather than the proposed ten consecutive months to allow business owners to respond to unforeseen circumstances such as an illness in the family or some other kind of emergency that would force their business to cease operation for a period.

The Board advised Ms. Gallop that they will consider her requests for discussion at the public hearing in December.

Mrs. Creef stated that the 10 consecutive month time limit is what is included in the other sections of the Zoning Ordinance.

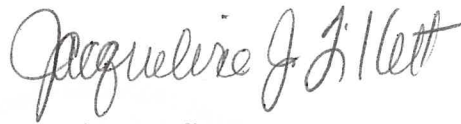
**OTHER BUSINESS - None**

**Adjournment**

There being no further business before the Dare County Planning Board, Michael Barr made a motion to adjourn. This motion was seconded by David Overton.

Vote: Ayes – Unanimous

Respectfully Submitted,



Jacqueline J. Tillett  
Senior Administrative Support Specialist

Approved: December 10, 2012



Elmer R. Midgett, Jr., Chairman  
Dare County Planning Board